

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ANDREW CORZO, SIA HENRY, ALEXANDER  
LEO- GUERRA, MICHAEL MAERLENDER,  
BRANDON PIYEVSKY, BENJAMIN SHUMATE,  
BRITTANY TATIANA WEAVER, and CAMERON  
WILLIAMS,

individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA INSTITUTE  
OF TECHNOLOGY, UNIVERSITY OF CHICAGO,  
THE TRUSTEES OF COLUMBIA UNIVERSITY IN  
THE CITY OF NEW YORK, CORNELL  
UNIVERSITY, TRUSTEES OF DARTMOUTH  
COLLEGE, DUKE UNIVERSITY, EMORY  
UNIVERSITY, GEORGETOWN UNIVERSITY, THE  
JOHNS HOPKINS UNIVERSITY,  
MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY, NORTHWESTERN UNIVERSITY,  
UNIVERSITY OF NOTRE DAME DU LAC, THE  
TRUSTEES OF THE UNIVERSITY OF  
PENNSYLVANIA, WILLIAM MARSH RICE  
UNIVERSITY, VANDERBILT UNIVERSITY, and  
YALE UNIVERSITY,

Defendants.

Case No. 1:22-cv-00125

Hon. Matthew F. Kennelly

**PLAINTIFFS' MOTION FOR LEAVE TO FILE A REPLY IN RESPONSE TO  
DEFENDANT MIT'S OPPOSITION TO PLAINTIFFS' MOTION TO REOPEN THE  
30(B)(6) DEPOSITION OF DEFENDANT MIT AND TO COMPEL MIT TO PROVIDE A  
DESIGNEE KNOWLEDGEABLE ABOUT CERTAIN LIMITED TOPICS**

On May 14, 2024 Plaintiffs moved to reopen the 30(b)(6) deposition of Defendant MIT ("MIT") and to compel MIT to provide a designee knowledgeable about certain topics. ECF No. 685. On May 22, 2024, MIT filed an Opposition to Plaintiffs' Motion (the "Opposition"). ECF

No. 694.

Plaintiffs respectfully move for leave to file a narrow, 5-page reply (with 8 supporting exhibits) to supply the Court with citations to additional documentary evidence and testimony in response Defendant MIT's Opposition. MIT takes no position on Plaintiffs' request for leave to file a Reply.

Plaintiffs' proposed Reply is being filed contemporaneously under seal pursuant to the Second Amended Confidentiality Order. ECF No. 608.

In support of this motion, Plaintiffs state:

1. MIT's Opposition to Plaintiffs' Motion to Compel ("Opp.") contains several inaccurate statements. Plaintiffs request leave to respond and to supply the Court with citations to additional documentary evidence and testimony that supports the positions contained in Plaintiffs' Motion and will assist the Court in understanding the disputed issues.

2. Plaintiffs' Reply and exhibits are necessary and appropriate to correct MIT's erroneous assertions. *See, e.g.*, Opposition at 14. Replies are permitted to establish a full record. *See In re Dairy Farmers of Am., Inc.*, 80 F. Supp. 3d 838, 858 (N.D. Ill. 2015) (granting leave to file reply "exhibits useful in reviewing the merits" of a pending motion).

3. The Reply will not prejudice MIT, as it only provides the Court with documents that address the inaccurate assertions in MIT's briefing.

4. Plaintiffs' proposed Reply is being filed contemporaneously under seal pursuant to the Second Amended Confidentiality Order. ECF No. 608.

Wherefore, Plaintiffs respectfully request that this Court grant Plaintiffs' Motion for leave to file a Reply in response to MIT's Opposition.

Dated: May 23, 2024

Respectfully Submitted,

By: /s/ Robert D. Gilbert

Robert D. Gilbert  
Elpidio Villarreal  
Robert S. Raymar  
David Copeland  
Natasha Zaslove  
**GILBERT LITIGATORS &  
COUNSELORS, P.C.**  
11 Broadway, Suite 615  
New York, NY 10004  
Phone: (646) 448-5269  
rgilbert@gilbertlitigators.com  
pdvillarreal@gilbertlitigators.com  
rraymar@gilbertlitigators.com  
dcopeland@gilbertlitigators.com  
nzaslove@gilbertlitigators.com

/s/ Eric L. Cramer

Eric L. Cramer  
Ellen T. Noteware  
**BERGER MONTAGUE PC**  
1818 Market Street, Suite 3600  
Philadelphia, PA 19103  
Tel: 215-875-3000  
ecramer@bm.net  
enoteware@bm.net

Richard Schwartz  
**BERGER MONTAGUE PC**  
1720 W Division  
Chicago, IL 60622  
Tel: 773-257-0255  
rschwartz@bm.net

/s/ Edward J. Normand

Devin “Vel” Freedman  
Edward J. Normand  
Peter Bach-y-Rita  
**FREEDMAN NORMAND  
FRIEDLAND LLP**  
99 Park Avenue  
Suite 1910  
New York, NY 10016  
Tel: 646-970-7513  
vel@fnf.law  
tnormand@fnf.law  
pbachyrita@fnf.law

Daniel J. Walker  
Robert E. Litan  
Hope Brinn  
**BERGER MONTAGUE PC**  
2001 Pennsylvania Avenue, NW  
Suite 300  
Washington, DC 20006  
Tel: 202-559-9745  
rlitan@bm.net  
dwalker@bm.net  
hbrinn@bm.net

*Counsel for Plaintiffs*